

Message Text

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ACTION IO-13

INFO OCT-01 EUR-12 ISO-00 CIAE-00 DODE-00 PM-04 H-02

INR-07 L-03 NSAE-00 NSC-05 PA-01 PRS-01 SP-02 SS-15

USIA-06 SAM-01 SAJ-01 ACDA-07 /081 W

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R 111559Z NOV 76

FM AMEMBASSY BONN

TO SECSTATE WASHDC 3216

USMISSION USUN NEW YORK

INFO USMISSION USBERLIN

USMISSION NATO BRUSSELS

AMEMBASSY BERLIN

AMEMBASSY LONDON

AMEMBASSY MOSCOW

AMEMBASSY PARIS

C O N F I D E N T I A L SECTION 01 OF 02 BONN 19139

E.O. 11652: GDS

TAGS: PFOR, PGOV, WB, GW, GE, UK, FR, UR

SUBJECT: GDR STATEMENT ON EXTENSION TO BERLIN OF
CONVENTION ON INLAND SHIPPING CALIBRATION

SUMMARY: BONN GROUP HAS REACHED AD REF AGREEMENT FOR
ALLIED RESPONSE, TO BE MADE BY DELEGATIONS TO UN, TO
GDR STATEMENT MADE IN CONNECTION WITH GDR ACCESSION TO
CONVENTION ON INLAND SHIPPING CALIBRATION. END SUMMARY.

1. FRG BONN GROUP REP (HENZE) HAS INFORMED ALLIED REPS
THAT IN ACCEDING TO THE CONVENTION ON INLAND SHIPPING
CALIBRATION, THE GDR REQUESTED THAT THE UN SECRETARIAT
CIRCULATE THE FOLLOWING STATEMENT:

BEGIN TEXT:

"AS REGARDS THE APPLICATION OF THE CONVENTION TO BERLIN
(WEST) THE GERMAN DEMOCRATIC REPUBLIC, IN CONFORMITY
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WITH THE QUADRIPARTITE AGREEMENT BETWEEN THE GOVERNMENTS

OF THE UNION OF SOVIET SOCIALIST REPUBLICS, THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND, THE UNITED STATES OF AMERICA, AND THE FRENCH REPUBLIC OF 3 SEPTEMBER 1971, STATES THAT BERLIN (WEST) CONTINUES NOT TO BE A CONSTITUENT PART OF THE FEDERAL REPUBLIC OF GERMANY AND NOT TO BE GOVERNED BY IT.

"ACCORDINGLY, THE GERMAN DEMOCRATIC REPUBLIC ONLY TAKES NOTE OF THE STATEMENT OF THE FEDERAL REPUBLIC OF GERMANY ON THE EXTENSION OF THE CONVENTION TO BERLIN (WEST) ON THE UNDERSTANDING THAT SUCH EXTENSION IS IN CONFORMITY WITH THE QUADRIPARTITE AGREEMENT AND THAT BY APPLYING THE PROVISIONS OF THE CONVENTION TO BERLIN (WEST) MATTERS OF STATUS OF BERLIN (WEST) ARE NOT AFFECTED."

END TEXT.

THE UN CIRCULAR NOTE (308, 1976, TREATIES - 2) IS DATED SEPTEMBER 24, 1976.

2. HENZE ARGUED STRONGLY THAT SOME ALLIED RESPONSE SHOULD BE MADE TO THE GDR STATEMENT. THE GDR WAS NOT COMPETENT TO COMMENT ON THE QA AND HAD AGAIN QUOTED THE QA INCOMPLETELY.

3. FRENCH REP (DE BOISSIEU) RESPONDED UNENTHUSIASTICALLY. HE SAID IT WOULD BE "USELESS" TO REPLY.

4. UK REP (HITCH) AGREED WITH DE BOISSIEU. IT IS NOT OUR POLICY TO RESPOND ONE HUNDRED PERCENT OF THE TIME. WE REPLY TO ABOUT NINETY PERCENT OF SUCH STATEMENTS. THAT IS ENOUGH. INDEED, BY NOT REPLYING, WE INDICATE THAT THE GDR IS NOT COMPETENT TO COMMENT ON THE QA AND ITS COMMENTS SHOULD BE IGNORED.

5. HENZE DISAGREED. THE EAST DOES NOT DO THIS KIND OF THING JUST FOR FUN. THEIR PURPOSE IS TO DRIVE HOME A MISLEADING INTERPRETATION OF THE QA.

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6. GIVEN THE FIRM FRG VIEWS, US REP INDICATED HE WOULD BE WILLING TO RECOMMEND THAT WE RESPOND TO GDR NOTE, ALTHOUGH HE SAW MERIT IN FRENCH AND BRITISH ARGUMENTS AND DOUBTED UTILITY OF A RESPONSE. THE FRENCH AND UK REPS ALSO RELUCTANTLY AGREED.

7. AD REF AGREEMENT WAS REACHED ON NOVEMBER 9 ON THE FOLLOWING REPLY WHICH MIGHT BE SENT BY ALLIED UN

DELEGATIONS:

BEGIN TEXT:

THE DELEGATIONS OF FRANCE, THE UNITED KINGDOM AND THE
UNITED STATES REFER TO THE NOTE OF THE GDR (FULL

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C O N F I D E N T I A L SECTION 02 OF 02 BONN 19139

REFERENCE TO BY SUPPLIED BY UN MISSIONS) AND WISH TO
POINT OUT THE FOLLOWING:

THE GERMAN DEMOCRATIC REPUBLIC IS NOT A PARTY TO THE
QUADRIPARTITE AGREEMENT WHICH WAS CONCLUDED IN BERLIN ON
3 SEPTEMBER 1971 BY THE GOVERNMENTS OF THE FRENCH
REPUBLIC, THE UNION OF SOVIET SOCIALIST REPUBLICS, THE
UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND,
AND THE UNITED STATES OF AMERICA, AND IS NOT, THEREFORE,

COMPETENT TO COMMENT AUTHORITATIVELY ON ITS PROVISIONS.

THE ABOVE REFERRED TO COMMUNICATION CONTAINS AN IN-COMplete AND THEREFORE MISLEADING REFERENCE TO THE QUADRIpartite AGREEMENT. THE PROVISION OF THE QUADRIpartite AGREEMENT REFERRED TO IN THE COMMUNICATION STATES THAT "THE TIES BETWEEN THE WESTERN SECTORS OF BERLIN AND THE FEDERAL REPUBLIC OF GERMANY WILL BE CONFIDENTIAL

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MAINTAINED AND DEVELOPED, TAKING INTO ACCOUNT THAT THESE SECTORS CONTINUE NOT TO BE A CONSTITUENT PART OF THE FEDERAL REPUBLIC OF GERMANY AND NOT TO BE GOVERNED BY IT."

END TEXT.

8. ACTION REQUESTED: EMBASSY RECOMMENDS THAT THE DEPARTMENT APPROVE THE TEXT IN PARA 7 AND AUTHORIZE USUN TO COORDINATE DELIVERY OF THE RESPONSE WITH FRENCH AND UK MISSIONS.
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